

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION
CIVIL RIGHTS DIVISION

RECEIVED

MAY 25 2006

MICHAEL W. DOBBINS
CLERK, U.S. DISTRICT COURT

James B. Seider,
Plaintiff, pro se

vs

Illinois Department of Corrections,
MSR/Parole Department/Prisoner Review Board,
et. al

**06cv2923
JUDGE DARRAH
MAGISTRATE MASON**

**MOTION FOR INJUNCTION
DENIAL OF DUE PROCESS
CRUEL AND UNUSUAL PUNISHMENT
DENIAL OF HEARINGS/STANDARD OF FAIRNESS AND JUSTICE
DENIAL OF PERSONAL LIBERTIES AND FREEDOM**

Now comes, James B. Seider, Plaintiff, pro se in the
above caption cause of action.

This Plaintiff, is being denied certain rights that are
setforth in the Illinois State Constitution, and that of
the United States Constitution;

This Plaintiff, was paroled from the Illinois Department
of Corrections, on 02-03-06,whereas the Illinois Department
of, via the Illinois Department of (Prisoner Review Board),
Order said Plaintiff to serve 90 days on Electronic Detention
or better know as House Arrest for the said period of 90.
days. This Plaintiff, signed a agreement with the Prisoner
Review Board, to said terms stated by them. On his MSR status
and the Plaintiff's counselor at Illinois River Correctional
Center, stated that as long as I obey all their RULES and
Regulations, that I would be released from this Order.

Yet, on the 04-21-06, I was advised by my Parole AGENT,
that the terms was changed and I would have to compete 21,

Page II

more months, this is being done without the benefit of a hearing, or moreso, that I have violated any of the terms of my setforth release agreement.

On the 15th of May, 2006, I was taken in handcuff's to the MSR/PArole Department headquarters by my parole agent. I talked to the supervisor Mr. Dixon, who stated that I was to serve the rest of my parole of 21 months on this Electronic Detention, because they felt like going so. He Mr. Dixon, said that I belong back in prison, and another agent Montgomery came into to the room, and started yelling at me, and stated that I liked "being behind this black thing" and was trying to get me to say something so they could violate me and return me to Stateville Correctional Center as a violator, they kept saying this and that (hoping that I would get out of pocket) so they could violate me..on my trip back home handcuffed, my agent stated that I could not date or have female company...until further notice..that i was not allow to have females in my HOME, or be with them.

Also, I am being denied the following for no reason(s) or violations;

- a. no pets
- b. no pool inwhich I have one in my back yard
- c. no computer, which I was given permission by my agent to buy one, then he stated for no reason(s) I could no longer use it to seek employmement or pay my bills..
- d. no wine/beer/liquor in my home (no reason given)..
- e. was denied medical care by the Veterans Hospital/denied movement for shopping and taking care of of business needs as well as personal needs for 5days twice.

Page III

I have files a grivance with the Prisoner Review Board which was referred to the MSR/parole department, and I have filed with the Circuit Court of Cook County, Skokie Division, which was denied, no reason stated.

I was sentenced to 8 years for PCS, and the Illinois Department of Corrections added an extra 2 years of MSR or Parole, as I had agreement with the State's Attorney for a term of 8 years, and then the Illinois Department of Corrections placed an extra 2 year sentence, without any reason or violation on my part.

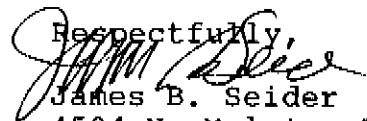
I am not unable to return to a normal life style and become a useful member of the socity which the IDOC states is their overall goal, but, it seems that all the MSR/Parole people want is to violate and return the parolee back to prison..

Your Honor, I pray that you allow me to present my case before this Honorable Court and show the misdeeds of the IDOC, and that of the Illinois Department of Corrections..

And allow me to have my rights re-stored under the
CONSTITUTION OF THE STATE OF ILLINOIS, AND THAT OF THE UNITED STATES OF AMERICAN.

I pray that you grant this hearing and my appearance into these issues setforth in this petition for justice.

May 16th, 2006

Respectfully,

James B. Seider
4504 N. Melvina Ave.
Chicago, Il. 60630

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
COUNTY DEPARTMENT-CRIMINAL DIVISION
MUNICIPAL DEPARTMENT SECOND DISTRICT SUBERAN

James B. Seider, pro se
Plaintiff,

vs

Case# 02CR-15397-01

Illinois Department of Corrections,
and
Illinois Parole Department/Prisoner Review Board
et al.

MOTION TO FILE LEAVE TO ALLEAL TO
THE ILLINOIS SUPREME COURT

MOTION FOR INJUNCTION/STAY

Now, comes, James B. Seider, Plaintiff, pro se in the above
caption cause of action.

This Plaintiff, is seeking that this Honorable Court, grant
the above request, that this Plaintiff, be allowed to file
his just cause of action with the Illinois Supreme Court.

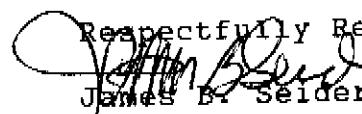
This Plaintiff, also, seekings that this Honorable Court,
grant an INJUNCTION, as to this Plaintiff's placement on
MSR/Parole status until this matter is heard before the
Illinois Supreme Court, As, this Plaintiff, is being denied
certain privileges and rights due him under the Illinois
Constitution and that of the United State's Constitution
whereas this Plaintiff, is being denied his First Admenment
rights.

This Plainiff, is being denied to own a PET, USE HIS COMPUTER
USE HIS POOL, ATTEND CHURCH SERVICES, AND OTHER PRIVILEGES
AND RIGHTS.

Page II

Wherefore, this Plaintiff, respectfully seeking said orders
be granted foreethwith. And that an INJUNCTION be enter as
to allow this Plaintiff, to seek justice.

04-01-06

Respectfully Requesting,

James B. Seider, n-13827
4504 N. Melvina Ave.
Chicago, Il. 60630

To: The Illinois department of Corrections
Prisoner Review Board/Grievance Committee

From: James B. Seider
N-13827
4504 N. Melvina Ave.
Chicago, Il. 60630

Subject: Denial of Certain Rights and Privileges
Constitutional Rights and State's Rights

Dear Grievance Committee Chairperson,

At this writing, I would like to grieve these issues
that are being setforth:

- a. denial to own a pet
- b. denial to use my computer for seeking information
deal with making money to pay my bills. To pay my
bills on-line. To order certain items on-line.
I was given permission to buy said computer from
my MSR agent, then I was denied to use of it.
- cc. denial the use of my pool
- d. denial of having a legal aged female over to my
home. The MSR agents stated that I was not allowed
to have female-compandship until I was off of parole
statue.
- e. being placed on denial of movement for 5 days
for no reason. Not being allowed to go to the
store for personal needs as FOOD, and stamps to
pay my bills.
- f. seeking to be allowed to attend church services:
- g. denial to have beer or liquor in my home.

I am seeking that these issued be addressed and that I be
allowed to have these privileges and rights restored forthwith.

I am seeking a timely hearing into these violation of my rights
and privileges.

4-6-6

Respectfully,

cc
Attorney Alan Spitz,
111 W. Washington, Chicago, Il. 60602
and

Director of the IDOC

State of Illinois
Department of Corrections

ELECTRONIC HOME DETENTION RULES

I, SEIDER, JAMES, hereby agree to comply with the rules and regulations of Electronic Home Detention:

I shall remain within the interior premises or within the property boundaries of my residence at all times during the hours designated by the Illinois Department of Corrections.

I shall admit any person or agent designated by the Illinois Department of Corrections into my residence at any time for purposes of verifying my compliance with the conditions of my detention.

I shall make necessary arrangements to allow for any person or agent designated by the Illinois Department of Corrections to visit my place of education or employment at any time, based upon the approval of the educational institution, employer, or both, for the purpose of verifying my compliance with the conditions of my detention.

I shall acknowledge and participate with the approved electronic monitoring device provider as designated by the Illinois Department of Corrections at any time for the purpose of verifying my compliance with the conditions of my detention.

I shall maintain the following:

- (1) a working telephone in my home;
- (2) a monitoring device in my home, or on my person, or both; and
- (3) a monitoring device in my home, or on my person in the absence of a telephone.

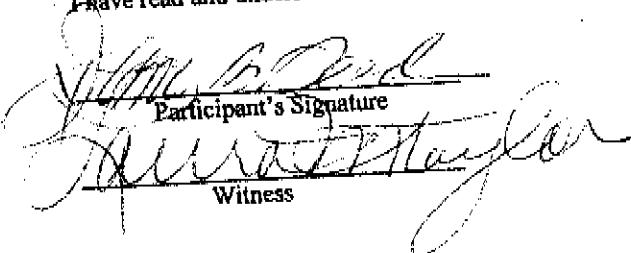
I shall obtain approval from the Illinois Department of Corrections before changing any term or condition of Electronic Home Detention.

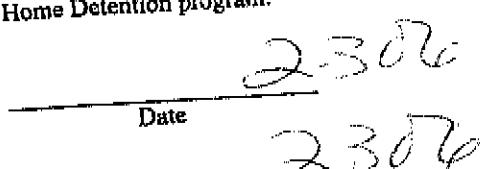
I shall not commit another crime while subject to Electronic Home Detention as a condition of Mandatory Supervised Release.

I am aware that violating the terms of Electronic Home Detention may subject me to prosecution for the crimes of Escape or Violation of Parole/Mandatory Supervised Release.

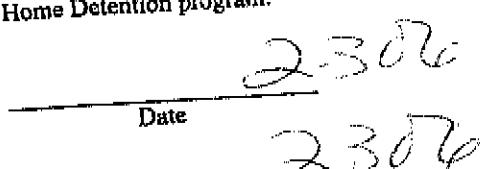
I will abide by other conditions set forth by the Illinois Department of Corrections.

I have read and understand all of the rules of the Electronic Home Detention program.

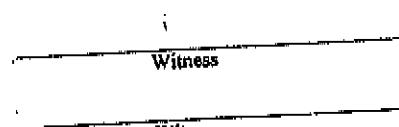

Participant's Signature


Date

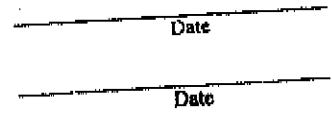
Witness


Date

We certify that today James B. Seider was placed on parole or Mandatory Supervised Release with Electronic Home Detention as a condition. The above-named inmate refused to sign this form in violation of 730 ILCS 5/5-8A-5(A). In light of the inmate's refusal, the Electronic Home Detention Rules were explained to, and to the best of our knowledge understood by, the inmate.


Witness

Date


Witness

Date

AFFIDAVIT OF SERVICE

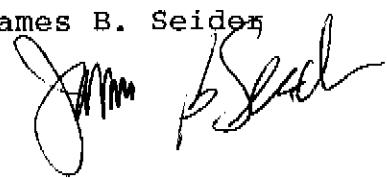
I, James B. Seider, Plaintiff, pro se being duly sworn state that I have served the attached motion on the parties listed below, by placing a true and correct copy in an envelope addressed as shown below, with the proper US postage on each and depositing the envelopes in the post office mail-box in Chicago, Illinois 60630.

On the 17th of May, 2006.

Illinois Department of Corrections
1301 Concordia Court
Springfield, Il.

State's Attorney Office of Cook County
2600 S. California
Chicago, Il.

James B. Seider



May 16th, 2006